

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Robert C. Ellis, Jr.,

Plaintiff(s),

09 Civ. 8156 (CM) (JCF)

-against-

ORDER

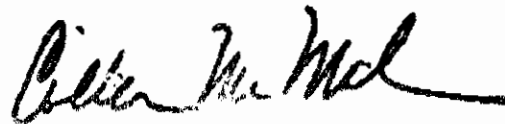
Holiday Image Inc., et al,

Defendant(s),

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It having been reported to this Court that the above entitled action has been settled,
IT IS ORDERED that the action be, and the same hereby is, discontinued with prejudice but
without costs; provided, however, that if the settlement is not consummated within thirty (30)
days of the date of this order, either party may apply by letter for restoration of the action to the
calendar of the undersigned. Any such application must be made before the thirty (30) days have
expired, or it will be denied. Any such application timely made will be granted.

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 1 11 10
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Colleen McMahon, U.S.D.J.

Dated: New York, New York
January 11, 2010